

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In re* Flint Water Cases.

Judith E. Levy  
United States District Judge

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This Order Relates To:

Walters, et al. v. Flint, et al.  
Case No. 17-10164

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**ORDER REGARDING PENDING MOTION FOR LEAVE TO  
FILE AN AMENDED COMPLAINT [185]**

On September 26, 2018, the Court heard arguments in several pending motions to dismiss. (Dkt. 181.) However, before the Court ruled on the motions, plaintiffs indicated an intention to file a motion for leave to file an amended master long-form complaint. (Dkt. 669 at 4.) The Court instructed them to do so, if at all, by November 28, 2018. (*Id.*) And, in accordance with the Court's instructions, plaintiffs filed their motion. (Dkt. 185.)

Considering how the motions to dismiss are still pending, the Court gives the following guidance: parties should brief the motion to amend as if the Court has already granted it and the defendants are moving to

dismiss. The Court will not actually grant the motion to amend on the docket, but this should expedite the process as the Court will then be able to rule on all the motions in one opinion and order. The resulting opinion and order will be appealable to the same extent that a motion to dismiss is appealable in the ordinary course. Plaintiffs will be permitted to seek leave to add additional pages to their reply brief to respond to the full range of arguments, if necessary.

Dated: December 4, 2018  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on December 4, 2018.

s/Shawna Burns  
SHAWNA BURNS  
Case Manager